

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division

In re: Frank & Carol Powell)
)
) Case No. 13-31170-KRH
)
)
Debtor(s)) Chapter 13
)
Address 206 Secretaria Ct.)
Aspen, VA 23005)
)
Address 14107 Longbranch Rd)
Woodford, VA 2258)
)
Last four digits of Social Security No(s).: 3105 & 5972)
)
)

NOTICE OF MOTION

Frank & Carol Powell have filed papers with the court to Waive the requirement to file Certification pursuant to 11 USC 1328 as to Carol Powell only.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to grant the relief sought in the motion (or objection), or if you want the court to consider your views on the motion (or objection), then on or before April 8, 2016, you or your attorney must:

X File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court
United States Bankruptcy Court
701 East Broad Street
Richmond, VA 23219

You must also mail a copy to:

America Law Group, Inc.

8501 Mayland Dr., Ste 106
Henrico, VA 23294

- X Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**
- ☐ Attend the hearing on the motion (or objection) scheduled to be held on _____ at _____, m. at United States Bankruptcy Court, 701 East Broad Street, Crtrm <5100/5000> Richmond, VA 23219.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion or objection and may enter an order granting that relief.

Date: 3/25/2016

Signature, name, address, and telephone number of person giving notice:

/s/ Richard J. Oulton
Richard J. Oulton, Esq.
America Law Group, Inc.
8501 Mayland Dr., Ste 106
Henrico, VA 23294
Virginia State Bar No. 29640
Counsel for Frank and Carol Powell

Certificate of Service

I hereby certify that I have this 25th day of March, 2016, mailed or hand-delivered a true copy of the foregoing Notice of Motion (or Objection) to the parties listed on the attached service list.

/s/ Richard J. Oulton
Richard J. Oulton, Esq.

Creditors

247 Green Street
416 South Main Ste 3
Ottawa, KS 66067-0000

Afni Inc
1310 Martin Luther King Dr.
PO Box 3517
Bloomington, IL 61702-3517

Alliance One
1684 Woodlands Drive

Maumee, OH 43537-0000

America Law Group
dba:The Debt Law Group, PLLC
2800 N Parham Rd, Ste 100
Henrico, VA 23294

American InfoSource LP as agent for
Midland Funding LLC
PO Box 268941

Oklahoma City, OK 73126-8941

American InfoSource LP as agent for
Verizon
PO Box 248838
Oklahoma City, OK 73124-8838

ARS National Services
PO Box 463023
Escondido, CA 92046-3023

Calvary Portfolio Services
Attn: Bankruptcy Dept
500 Summit Lake Dr. Suite 400
Valhalla, NY 10595-0000

Capital 1 Bank
Attn: Bankruptcy Dept.
PO Box 30285
Salt Lake City, UT 84130-0000

Capital One Auto Finance
3901 N Dallas Pkwy
Plano, TX 75093-0000

Capital One Auto Finance
c/o Ascension Capital Group
P.O. Box 201347
Arlington, TX 76006

Capital One Auto Finance, a division of Capital On
P.O. Box 201347
Arlington, TX 76006

Cash Call
1600 S Douglass Rd
Anaheim, CA 92806-0000

Cash Net USA
200 West Jackson, Ste 2400
Chicago, IL 60606-0000

Cash Net USA
200 W Jackson Blvd, Ste 1400
Chicago, IL 60606

CashCall

c/o National Registered Agents
4701 Cox Rd, Ste 301
Glen Allen, VA 23060-0000

Cashcall Inc
Attn: Bankruptcy Dept
1600 S Douglass Rd
Anaheim, CA 92806-0000

CASHCALL, INC.
C/O WEINSTEIN & RILEY, PS
2001 WESTERN AVE., STE. 400
SEATTLE, WA 98121

Cashnet USA
c/o Capital Corporate Services
10 S Jefferson St, Ste 1400
Roanoke, VA 24011-0000

Cavalry Portfolio Services
500 Summit Lake Drive, Ste 400
Valhalla, NY 10595

Chase Auto
Po Box 15298
Wilmington, DE 19850-0000

Check into Cash
5053 Jefferson Davis Hghwy
Fredericksburg, VA 22408-0000

Check Into Cash
PO Box 550
Cleveland, TN 37364-0550

Citibank Sd, Na
Attn: Centralized Bankruptcy
PO Box 20507
Kansas City, MO 64195-0000

Citibank Usa
Attn: Centralized Bankruptcy
PO Box 20363
Kansas City, MO 64195-0000

CK Marketing
704 North King Street #500
Wilmington, DE 19801-0000

Client Services Inc
3451 Harry Truman Blvd
Saint Charles, MO 63301-3236

Gentle Breeze
PO Box 1120
Boulevard, CA 91905-0000

Convergent Outsourcing
10750 Hammerly Blvd #200
Houston, TX 77043-0000

Hanover Fire EMS
PO Box 683
Lewisville, NC 27023-0000

Cover Me Cash
PO Box 388
Parshall, ND 58770-0000

Henrico Doctor's Hospital
PO Box 13620
Richmond, VA 23225-8620

Cox Communications
PO Box 62549
Virginia Beach, VA 23466-0000

Henrico Doctors Hospital
Resurgent Capital Services
PO Box 1927
Greenville, SC 29602

Crd Prt Asso
Attn: Bankruptcy
PO Box 802068
Dallas, TX 75380-0000

Henrico Parham Rehab
PO Box 13620
Richmond, VA 23225-0000

Credit First/CFNA
Bk13 Credit Operations
PO Box 818011
Cleveland, OH 44181-0000

HSBC Bank
Attn: Bankruptcy
Po Box 5213
Carol Stream, IL 60197-0000

Express Check Advance
2034 Hamilton Place Blvd
Suite 100
Chattanooga, TN 37421-0000

Hunter Warfield
4620 Woodland Corporate Blvd
Tampa, FL 33614-0000

Express Check Advance
10679 Courthouse Rd
Fredericksburg, VA 22407-0000

Internal Revenue Service
Insolvency Unit
PO Box 7346
Philadelphia, PA 19101-7346

EZ Payday Cash
1559-B Sloat Blvd.
Suite 161
San Francisco, CA 94132-0000

Jefferson Capital Systems LLC
PO BOX 7999
SAINT CLOUD MN 56302-9617

Fingerhut
6250 Ridgewood Rd
Saint Cloud, MN 56303-0000

JPMORGAN CHASE BANK, N.A.
NATIONAL BANKRUPTCY DEPARTMENT
P.O. BOX 29505 AZ1-1191
PHOENIX, AZ 85038-9505

First Premier Bank
601 S Minnesota Ave
Sioux Falls, SD 57104-0000

Kendalwood Apartments
Hunter Warfield, Inc.
4620 Woodland Corporate Blvd
Tampa, FL 233614

Kendalwood Apartments
214 Kings Mill Ct
Fredericksburg, VA 22401-0000

Town of Bowling Green
PO Box 468
Bowling Green, VA 22427-0468

Metrocast Comm
115 N Main St
Bowling Green, VA 22427-0000

Verizon
500 Technology Dr Ste 30
Weldon Spring, MO 63304-0000

National Asset Recovery Servic
PO Box 1898
Saint Charles, MO 63301-0000

Verizon
Bankruptcy Administration
P.O. Box 3397
Bloomington, IL 61702-0000

Nationwide Credit
2015 Vaughn Rd NW
Ste 300
Kennesaw, GA 30144-7802

Verizon Wireless
Bankruptcy Administration
P.O. Box 3397
Bloomington, IL 61702-0000

Orchard Bank
2012 Corporate Lane
Suite 108
Naperville, IL 60563-0000

VIP Loan Shop
4 Soloman Arcadia
Charlestown, West Ind

Portfolio Recovery Associates, LLC
PO Box 41067
Norfolk VA 23541

Virginia Emer Phys LLP
75 Remittance Drive, Ste 1151
Chicago, IL 60675-1151

Premier Bankcard/ Charter
P.O. Box 2208
Vacaville, CA 95696

Wells Fargo Bank
P.O. Box 5058
MAC: P6053-021
Portland, OR 97208-5058

Radiology Associates of Rchmnd
2602 Buford Road
Richmond, VA 23235-0000

White Hills Cash
Island Finance
P.O. Box 330
Hays, MT 59527-0000

Sigma Solutions
2150 S 1300 E, Ste 500
Salt Lake City, UT 84106-0000

White Hills Cash LLC
5781 W Sunrise Blvd
Plantation, FL 33313

Sky Lending Loan
PO Box 665
Bridge Chambers, West Quay
Ramsey, Isle of Man IM99 4PD

Sunoco/citi
Attention: Bankruptcy
7920 NW 110th St.
Kansas City, MO 64153-0000

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In Re: Frank & Carol Powell
Debtor.

Case No. 13-31170-KRH
Chapter 13

**DEBTORS' MOTION FOR WAIVER OF REQUIREMENT TO FILE CERTIFICATION CERTIFICATION PURSUANT
TO 11 USC 1328**

The Debtor through her conservator, by his counsel, hereby moves to waive the requirement to file Certification pursuant to 11 U.S.C. § 1328 as to Carol Powell alone. In support of this motion he avers that:

1. This Chapter 13 plan was filed on 3/5/2013.
2. The Debtor's chapter 13 plan was confirmed on 5/15/2013.
3. From that date until March 2016, the Debtors made regular monthly payments to the trustee in the full amounts provided for by the plan.
4. Debtor Carol Powell is now deceased, and unable to certify those items necessary under 11 USC 1328.

WHEREFORE, the Debtors pray that this Court waive the requirement that the debtor complete and file a certification pursuant to 11 USC 1328.

Date: 3/25/2016

Frank Powell for Carol Powell
By Counsel

/s/ Richard J. Oulton, Esq.

Richard J. Oulton, Esq. VSB#29640
America Law Group, Inc.
8501 Mayland Dr., Ste 106
Henrico, VA 23294
804-308-0051 (ph)
804-308-0053 (fax)

CERTIFICATE OF SERVICE

I hereby certify that on 3/25/2016, a true and correct copy of the foregoing Notice and Motion were submitted for electronic transmittal and/or mailed to the U.S. Trustee; Chapter 13 Trustee; and all parties in interest.

/s/ Richard J. Oulton, Esq. _____
Richard J. Oulton, Esq. VSB#29640

Creditors

247 Green Street
416 South Main Ste 3
Ottawa, KS 66067-0000

Afni Inc
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PO Box 3517
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ARS National Services
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Attn: Bankruptcy Dept
500 Summit Lake Dr. Suite 400
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Arlington, TX 76006

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Chicago, IL 60606-0000

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Chicago, IL 60606

Kansas City, MO 64195-0000

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c/o National Registered Agents
4701 Cox Rd, Ste 301
Glen Allen, VA 23060-0000

Citibank Usa

Attn: Centralized Bankruptcy
PO Box 20363
Kansas City, MO 64195-0000

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704 North King Street #500
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Vacaville, CA 95696

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Bankruptcy Administration
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Charlestown, West Ind

Sigma Solutions
2150 S 1300 E, Ste 500
Salt Lake City, UT 84106-0000

Virginia Emer Phys LLP
75 Remittance Drive, Ste 1151
Chicago, IL 60675-1151

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Ramsey, Isle of Man IM99 4PD

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Portland, OR 97208-5058

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Island Finance
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Hays, MT 59527-0000

Town of Bowling Green
PO Box 468
Bowling Green, VA 22427-0468

White Hills Cash LLC
5781 W Sunrise Blvd
Plantation, FL 33313

Verizon
500 Technology Dr Ste 30
Weldon Spring, MO 63304-0000

Verizon
Bankruptcy Administration

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
RICHMOND DIVISION

In Re: Frank & Carol Powell
Debtor.

Case No. 13-31170-KRH
Chapter 13

**ORDER on DEBTOR(S) MOTION FOR WAIVER OF REQUIREMENT TO FILE CERTIFICATION PURSUANT TO
11 USC 1328**

UPON MOTION OF THE DEBTOR by counsel, the court finds that:

5. This chapter 13 plan was filed on 3/5/2013.
6. The Debtor's chapter 13 plan was confirmed on 5/15/2013.
7. From that date until the end of case, the Debtors made regular monthly payments to the trustee in the full amounts provided for by the plan.
8. Debtor Carol Powell is now deceased and is unable to certify those items necessary under 11 USC 1328.

THEREFORE, the court
ORDERS that the requirement for the debtor to file a certification pursuant to 11 U.S.C. § 1328 is WAIVED.

Dated: _____

I ask for this:

Frank Powell
CONSERVATOR for Carol Powell
By Counsel

/s/ Richard J. Oulton, Esq.
Richard J. Oulton, Esq. VSB#29640
America Law Group, Inc.
8501 Mayland Dr., Ste 106
Henrico, VA 23294
804-308-0051 (ph)
804-308-0053 (fax)

Seen:

Carl Bates, Chapter 13 Trustee

CERTIFICATE OF SERVICE

I hereby certify that on 3/25/2016, a true and correct copy of the foregoing Order was submitted for electronic transmittal and/or mailed to the U.S. Trustee; Chapter 13 Trustee; and all parties in interest.

/s/ Richard J. Oulton, Esq.
Richard J. Oulton, Esq. VSB#29640

Carl Bates
P.O. Box 1819
Richmond, VA 23218

America Law Group Inc.
8501 Mayland Dr.
Suite 106
Henrico, VA 23294

Frank Powell
14107 Longbranch Rd.
Woodford, VA 22580

Carol Powell
206 Secretaria Ct.
Aspen, VA 23005